

UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF NEW HAMPSHIRE

United States of America

v.

Criminal No. 00-cr-122-01-JD

William McCarthy

PROCEDURAL ORDER

The defendant requested the court to correct his sentence in order to effectuate the recommendation that the sentence run concurrently with his state parole revocation sentence that he was serving. The court referred the request to the Probation Department for review and response. That response was filed on March 23, 2006. A copy of the response shall be forwarded to defendant.

The court accepts the response filed by the Probation Department. As the judgment in this case states, "The court recommends that this sentence run concurrently with any state sentence beginning August 17, 2005." This is only a recommendation to the Bureau of Prisons. Ultimately, it is the Bureau of Prisons who determines the nature and extent of any recommendation for a concurrent sentence.

Therefore, the defendant's motion to correct sentence is denied.

SO ORDERED.

  
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Joseph A. DiClerico, Jr.  
United States District Judge

March 24, 2006

cc: William D. McCarthy, pro se  
U.S. Attorney  
U.S. Probation  
U.S. Marshal